IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :
THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 24925 of 2007(P)

PETITIONER:
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1. A.BHARGAVI, W/O.C.V.NANU,
AGED 76 YEARS, RESIDING AT SUCHINTA,P.O.
VADAKKUMPD, THALASSERY-9
THALASSERY TALUK , KANNUR DISTRICT.

2. A. SOUMINI,W/O. DAMODARAN, AGED 67 YEARS
RESIDING AT SREEKRISHNA, NEAR KARATTHUKUNU, P.O.
VADAKKUMPAD, THALASSERY -9,THALASSERY TALUK.
KANNUR DISTRICT, REPRESENTED BY POA HOLDER
SRI.A.K.DINANATH,S/O. DAMODARAN, ENGINEER,RESIDING
AT SREEKRISHNA NEAR KARATTHUKUNNU,PO VADAKKUMPAD

3. A.VILASINI, W/O. KUMARAN, AGED 63 YEARS,

BY ADV. SRI.R.SURENDRAN

RESPONDENTS:
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1. THE ASSISTANT EDUCATIONAL OFFICER
THALASSERY NORTH, THALASSERY, KANNUR DISTRICT

2. STATE OF KERALA REPRESENTED BY
SECRETARY TO THE GOVERNMENT,GENERL EDUCATION
SECRETARIAT,THIRUVANANTHAPURAM.

3. A.PADMAVATHI,D/O.K.P.GOVINDAN, AGED 73 Y
ERS RESIDING AT PADMAVILAS, P.O. VADALLUMPAD,
THALASSERY-9, THALASSERY TALUK, KANNUR DISTRICT.\

4. A.RAJAN ALIAS PADMANABHAN
S/O.GOVINDAN, AGED 70 YEARS, RESIDING AT
SREENILAYAM P.O. VADAKKUMPAD,
THALASSERY-9 THALASSERY TALUK KANNUR DISTRICT

5. SHIJI V.P. W/O. SHANITH, AGED 34 YEARS,
RESIDING AT SUPRABHA P.O. VADAKKUMBAD
THALASSERY THALASSERY TALUK KANNUR DISTRICT

6. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 24925 OF 2007

Dated this the 20th day of August, 2007

J U D G M E N T

Petitioners contend that they are entitled to get the right of management of Sree Narayana Basic Upper Primary School at vadakkumpad in Thalassery. But in Ext.P8 order, the Assistant Educational Officer, Thalassery North, did not accept the above contention. The claim made by petitioner No.1 to appoint her as manager was rejected by the officer.

2. It is the admitted position that petitioner has preferred Ext.P9 appeal against Ext.P8 order before respondent No.6 along with Ext.P9(a) application for stay. I am of the view that petitioners have to necessarily exhaust the statutory remedy available to them. They have chosen to do so.

The writ petition is disposed of with a direction to respondent No.6 to consider and pass orders on Ext.P9 appeal strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment. Respondent No.6 shall ensure that petitioners and all

other members of the educational agency are afforded sufficient opportunity to be heard before any decision is taken in the matter. It will be open to the petitioners to move Ext.P9(a) stay petition before the appellate authority for appropriate interim orders, if so advised, in which event the appellate authority shall take an appropriate decision in accordance with law. Petitioners shall produce a certified copy of this judgment along with a copy of the writ petition before respondent No.6 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007